LINCOLN BOARD OF SELECTMEN

APPROVED

MEETING MINUTES

MAY 20, 2019 – 5:30PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

(MEETING VIDEO AVAILABLE AT WWW.LINCOLNNH.ORG)

Board of Selectmen Present: Chairman OJ Robinson, Tamra Ham, and Jayne Ludwig
Staff Present: Chief Ron Beard, Tax Collector Lisa-Jane Philbrick, and Administrative Assistant, Jane Leslie.
Excused: Town Manager Burbank
Public Present: Roger Harrington, Jim Welsh, Debbie Celino, Kevin & Delia Sullivan

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I. CALL TO ORDER

Chairman Robinson called the joint meeting to order at 5:30 p.m.

II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING

MOTION: "To approve the meeting minutes of May 13, 2019 as amended."
Motion: OJ Robinson **Second: Tamra Ham** **Motion carries.**
***Abstained*: Jayne Ludwig**

MOTION: "To approve the Non-Public meeting minutes of May 13, 2019 as presented."
Motion: Tamra Ham **Second: OJ Robinson** **Motion carries.**
***Abstained*: Jayne Ludwig**

III. APPOINTMENT OF TOWN TREASURER

The Board made the motion to appoint Julie Rolando as the Treasurer to delegate deposit functions for the Town of Lincoln pursuant to RSA 41:29 until March 2020 Town Meeting, when at such time she will run for a term of three (3) years.

MOTION: "To appoint Julie Rolando deposit delegation responsibilities for the Town of Lincoln pursuant to RSA 41:29 II and RSA 41:29 VI until March 2020 Town Meeting.
Motion: Tamra Ham **Second: Jayne Ludwig** **All in favor.**

IV. TAX COLLECTORS REPORT OF PROPERTIES SCHEDULED FOR TAX DEEDING

Tax Collector Lisa-Jane Philbrick presented the Board with deed waivers that she was recommending the Selectmen sign:

Willey, Roy & Barbara Mack-Keeney – 25 Bog Brook Road – The Tax Collector spoke with the property owner on Friday and they said they would be sending a check by overnight delivery to pay off their 2016 property taxes as a family member is currently living there. Selectman Ham recommended the Board put this on hold and made the following motion:

MOTION: "The Board of Selectmen will independently come into Town Hall on Thursday, May 23rd at 1:00 pm to sign the deed waiver if necessary."
Motion: Tamra Ham **Seconded: Jayne Ludwig** **All in favor.**

Saber Mountain Partners LLC/Saber Mountain Landing LLC – 64 parcels – The Board agreed to sign the deed waivers and made the following motion:

MOTION: "To sign the deed waiver for Saber Mountain Partners LLC/Saber Mountain Landing LLC."
Motion: Tamra Ham Seconded: Jayne Ludwig All in favor.

Saber Mountain Partners LLC/Saber Mountain Landing LLC – 64 vacant land parcels (Ten [10] parcels of land are privately owned) which are all part of a global bankruptcy settlement lawsuit which the town is a party to. The Selectmen signed deed waivers for the parcels with the understanding that on Thursday, May 23rd the final signed settlement agreement will be taking place, and the Selectmen will announce the concluding results at the next Board of Selectmen's meeting. Chairman Robinson recommended the following motion for the abatement requests:

MOTION: "Per the settlement agreement for Saber Mountain Landing Chapter 7 Settlement No. 3. The Town shall abate the property taxes assessed against the remaining lots by 80% for the time period of October 1, 2015 through and including the effective date of the agreement (May 15, 2019)."
Motion: Tamra Ham Second: Jayne Ludwig All in favor.

V. OLD/NEW BUSINESS

Town Managers Report
There was no Town Managers report this evening.

Riverfront Park Groundbreaking Ceremony
The Board discussed a few potential dates to schedule the *Groundbreaking Ceremony* for the Riverfront Park. After a brief discussion, the Board decided on either Wednesday, May 22nd at 4:30 pm or Monday, June 3rd at 4:30 pm (Chairman Robinson will be unable to attend the June 3rd date). Selectman Ham will coordinate with Rec Director Tara Tower and Kevin Bell to confirm which of the two (2) dates will work.

Tax Collector's Warrant
The Board signed the Tax Collectors Warrant giving Lisa-Jane Philbrick authority to collect taxes in the amount of $5,897,750.67 with interest at 8% per annum from the 1st day of July, 2019 next on all sums not paid on or before that day, and the following motion was made:

MOTION: "To sign the Tax Collectors Warrant."
Motion: Tamra Ham Seconded: Jayne Ludwig All in favor

Town Hall Closed for Memorial Day Holiday
Town Hall will be closed on Monday, May 27th in observance of the Memorial Day Holiday (there will be no Board of Selectmen's meeting).

Revised Recycling Guidelines
Selectman Ludwig asked if the revisions to the recycling guidelines were mandatory or just changes the town was implementing on its own. Chairman Robinson explained the nationwide changes that are taking place now that China is no longer buying/receiving certain recyclables, and the subsequent costs the municipalities will be assuming as a result of this new practice.

Community Center Culvert
DPW Hadaway is waiting for the water levels to drop and he will then take a look inside the culvert. Hadaway noted that there are grates over the culvert opening to deter debris from getting in.

Solid Waste Roof Replacement
Chairman Robinson explained that at the last joint Lincoln-Woodstock Select Board meeting (4/15/19) a motion was made to approve the quote received from Construx Inc. to repair the Transfer Station roof. Construx Inc. however, is now unable to do this repair job this season nor honor the price they had originally quoted ($17,900) because the quote was for a specific time frame that the town had exceeded. The second quote received was from Reis Construction ($27,700) and was $10k higher than Construx Inc. The Woodstock Board of Selectmen were not in favor of moving forward with Reis Construction so the town will be going back out to bid.

Solid Waste Scale
Robinson further explained that a discussion and vote was taken during the joint meeting to purchase a scale for the Transfer Station (Lincoln would be doing much of the site work in preparation for the scale to save money) and he thought they were ready to move forward with the purchase, however, Woodstock has since questioned the decision to purchase a 50-ton scale versus a smaller 30-ton scale (the only difference between the scales is $1200). The incidentals that go along with the implementation of a scale (site work, excavation, remote reader, etc.) do not change, so essentially this is about the $1200 price difference. DPW Hadaway and Town Manager Burbank were in agreement that the pros outweighed the cons with the 50-ton scale and did not feel the $1200 differential made a big difference. Woodstock had requested that Town Manager Burbank and DPW Hadaway attend their next scheduled meeting (6/28/19) however, Robinson does not feel that Lincoln should have to send their Town Manager to Woodstock to defend his decision, and this matter can be discussed further at the next joint meeting scheduled for July 2nd. Selectman Ham added that Woodstock is welcome to attend Lincoln's Board meeting if they would like to discuss this prior to the July 2nd joint meeting.

Chairman Robinson explained that he would like to send Woodstock a message that if they have issues or concerns with the decision to purchase the 50-ton scale, Lincoln will hold off on making any decisions until the July 2nd joint meeting. Woodstock should also be aware that the quotes the town received were based on the current steel market, and by waiting it could substantially cost more for either a 30-tone or 50-ton scale.

Jim Welsh commented that the price of steel is increasing and could potentially be much more expensive than the current price the town was quoted.

Senate Bill 306
Selectman Ham read SB 306 (see attached) concerning sweeping authority that would be given to a three (3) member board that would have overreaching provisions that could potentially nullify the vote of NH townspeople; Planning and Zoning Boards, etc. The Board requested this information be posted on the towns website and forwarded to State Rep. Jerry Stringham.

Public Participation

Roger Harrington asked if the contractors have gone to look at the roof at the Community Center yet. Robinson explained Nate is still trying to get the contractors to come to the look at the roof.

V. NONPUBLIC SESSION *Pursuant to RSA 91-A: 3: II () Personnel*

MOTION: "To go into Non-Public Session pursuant to RSA 91-A: 3II (Personnel)
Motion: OJ Robinson Second: Tamra Ham Motion carries.

The Board went into non-public session at 6:10 pm.

MOTION: "To re-enter public session."
Motion: Tamra Ham Second: Jayne Ludwig Motion Carries.

The Board came back into public session at 6:25 p.m.

VI. ADJOURNMENT

After reviewing the weekly payables and with no further business to attend to, the Board made the following motion.

MOTION: "To adjourn."
Motion: OJ Robinson Second: Jayne Ludwig Motion Carries.

The meeting adjourned at 6:30 p.m.

Respectfully Submitted,
Jane Leslie

Approval Date _6_/03_/_2019_

Chairman OJ Robinson Selectman Tamra Ham Selectman Jayne Ludwig

May 20 , 2019
Board of Selectmen's Meeting
Please PRINT Legibly

(Print Name)	(Sign Name)
Roger Harrington	Roger Harrington
Debbie Colino	Debbie Colino
Jim Walsh	Jim Walsh
Delia Sullivan	Delia S
Kevin Sullivan	

Town Hall

From: cmsmailer@civicplus.com on behalf of Contact form at Lincoln NH <cmsmailer@civicplus.com>
Sent: Friday, May 17, 2019 11:42 AM
To: Town Hall
Subject: [Lincoln NH] Please share with all town boards (Sent by Jane Aitken, themaclady@comcast.net)

Hello townhall,

Jane Aitken (themaclady@comcast.net) has sent you a message via your contact form (https://www.lincolnnh.org/users/townhall/contact) at Lincoln NH.

If you don't want to receive such e-mails, you can change your settings at https://www.lincolnnh.org/user/91/edit.

Message:

FYI: SB 306 May Be Hidden in the Budget!

Dear Town Administrators;

Please share this information with all town boards.

We wanted to make you aware of this development at the state level. It would affect every municipality in NH.

Tell the NH Senate: Remove SB 306 From the Budget!
http://bedfordresidents.com/bra/2019/05/14/tell-the-senate-remove-sb-306-from-the-budget/

Thank you,

Jane Aitken
Bedford Residents Association
603-471-0138

603.471.0138 info@bedfordresidents.com

Tell the Senate: Remove SB 306 From the Budget!

May 14, 2019 | *MASTER PLAN, TOWN MEETING 2019, UPDATES*

Every NH municipality and the voters that direct them should be concerned.

When John Lynch was governor, he created a commission to address a phony "water crisis". Now, some are using a manufactured "housing crisis" to promote the proliferation of "high-density" construction.

Last December we sounded the alarm about HB 104, a bill that would have given a state-level appeals board the right to override the decisions of local boards with regard to land use. The NH House rightfully dispensed with this bill in committee. The Union Leader, a major newspaper, agreed.

Along comes SB 306 in the NH Senate sponsored by Republican Senators Giuda, Carson, Bradley and Representative Hinch along with several Democrats. SB 306 proposes a similar state "board of appeals" with even more draconian power over municipalities, and a $400K price tag to boot! Word has it that the NH Senate has tabled the bill and instead, is planning to include it into the budget they are preparing for the end of May. This budget will then be presented to the House to see if they will concur.

According to the actual wording of the bill, sweeping authority would be given to a 3-member board as follows:

679:5 Authority; Duties.

I. It shall be the duty of the board and it shall have power and authority to hear and affirm, reverse, or modify, in whole or in part, appeals of final decisions of municipal boards, committees, and commissions regarding questions of housing and housing development. This includes, but is not limited to:

(a) Planning board decisions on subdivisions or site plans.

(b) Board of adjustment decisions on variances, special exceptions, administrative appeals, and ordinance administration.

(c) The use of innovative land use controls.

(d) Growth management controls and interim growth management controls.

(e) Decisions of historic district commissions, heritage commissions, and conservation commissions.

(f) Other municipal permits and fees applicable to housing and housing developments.

(g) Matters subject to the board's authority may include mixed-use combinations of residential and nonresidential uses. Such different uses may occur on separate properties, provided such properties are all part of a common scheme of development.

As you can see, this overreaching provision would basically nullify the vote of the townspeople; taxpayers who have given their boards direction for what should happen in their own towns. Planning, zoning, historic, heritage, conservation, ALL commissions are affected in that SB 306 will allow developers to OVERRIDE those directions using this 3-member state 'board of appeals'!

This dangerous provision must be stopped. If allowed to be included, would be a blatant power grab and a direct attack on every municipality's right to direct its own future. It nullifies the vote of the people.

Write to the full NH Senate and let them know you will not tolerate this power grab at the state level. Write to the full House and ask they demand this provision be removed from any budget they are asked to approve.

Local control is at stake.

References:

Bill Text HB 104:
http://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2019&id=11&txtFormat=html

Bill Text SB 306:
http://www.gencourt.state.nh.us/bill_status/billText.aspx?id=989&txtFormat=html&sy=2019

2019 NHMA Bulletin #6 – Page 3:
https://www.nhmunicipal.org/Resources/LegislativeBulletin/176

Letter Seacoast Online
Land use boards beware of Senate Bill 306
May 8, 2019
https://www.seacoastonline.com/news/20190508/land-use-boards-beware-of-senate-bill-306

High-density is the Bolshevik model to fix the fake housing crisis (9 mins)
https://youtu.be/pculcfBwhTg

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This Applies to Any NH Town May 17, 2019

Tell the Senate: Remove SB 306 From the Budget! May 14, 2019

Voting Records by Category (as of May 8) May 13, 2019

Demand the Veto of SB 43 May 9, 2019

How Your Bedford Reps Voted (May 8) May 8, 2019

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The Problems With New Urbanism April 25, 2019

How Your State Reps Voted (Summary) April 11 April 18, 2019

Informative Links

APA's New Urbanism

Congress for New Urbanism

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